

*Rule 2.10. JUDICIAL STATEMENTS ON PENDING AND IMPENDING CASES*

(a) A judge shall abstain from public comment that relates to a proceeding pending or impending in any court and that might reasonably be expected to affect the outcome or impair the fairness of that proceeding and shall require similar abstention on the part of court personnel subject to the judge's direction and control. This Rule does not prohibit a judge from making public statements in the course of official duties or from explaining for public information the procedures of the court.

(b) With respect to a case, controversy, or issue that is likely to come before the court, a judge shall not make a commitment, pledge, or promise that is inconsistent with the *impartial* performance of the adjudicative duties of the office.

(c) Notwithstanding the restrictions in paragraphs (a) and (b), a judge may make public statements in the course of official duties, may explain court procedures, and may comment on any proceeding in which the judge is a litigant in a non-judicial capacity.

[1] This Rule's restrictions on judicial speech are essential to the maintenance of the *independence*, integrity, and *impartiality* of the judiciary.

[2] This Rule does not prohibit a judge from commenting on proceedings in which the judge is a litigant in a personal capacity. In cases in which the judge is a litigant in an official capacity, such as a writ of mandamus, the judge must not comment publicly.

[3] "Court personnel," as used in paragraph (a) of this Rule does not include the lawyers in a proceeding before the judge. The comment of lawyers in this regard is governed by Rule 3.6 of the Maryland Lawyers' Rules of Professional Conduct.

Source. -- This Rule is derived principally from Canon 3B (8) and (9) of the former Maryland Code of Judicial Conduct, which is largely consistent with Rule 2.10 of the 2007 ABA Code. Comments [1] and [2] are derived from the ABA Comments to Rule 2.10 of the 2007 ABA Code. Comment [3] is new.